

AMENDED IN SENATE AUGUST 18, 2010

AMENDED IN SENATE JULY 15, 2010

AMENDED IN SENATE MAY 26, 2010

AMENDED IN ASSEMBLY APRIL 12, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1914

Introduced by Assembly Member Davis

February 16, 2010

An act to add Section 18914.1 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1914, as amended, Davis. Public social services: food stamp benefits.

Existing law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which food stamps are allocated to the state by the federal government and are distributed to eligible households by each county.

Existing law provides for the payment of unemployment compensation benefits to eligible individuals who are unemployed through no fault of their own.

This bill would require a county to take into consideration unemployment compensation benefits of an applicant or recipient of food stamp benefits for the purposes of determining eligibility and the benefit amount only if the county obtains a report *from the applicant*

income and eligibility verification system, containing specified information relating to ~~that the~~ applicant's unemployment compensation benefits.

Existing law requires that county welfare departments have access to computer information maintained by the Employment Development Department relating to unemployment.

~~This bill would require the applicant or recipient to provide this report to the county, if the applicant or recipient already has the report in his or her possession.~~

This bill would require the county to provide a copy of the *applicant income and eligibility verification system* report, ~~received from a source other than the applicant or recipient~~, to the applicant or recipient if the county takes any action based on ~~the information in~~ that report. *The bill would specify that its requirements would not preclude a county from obtaining official Employment Development Department documentation from the applicant or recipient, if the applicant or recipient already has possession of that verification, as specified.*

This bill would require the department to implement the bill by all-county letters issued by the department, and thereafter to adopt implementing regulations, as specified.

~~To the extent that it would increase the duties of counties to administer SNAP, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 18914.1 is added to the Welfare and
- 2 Institutions Code, to read:
- 3 18914.1. (a) (1) A county shall *be required to* take into
- 4 consideration any unemployment compensation benefit income
- 5 of an applicant or recipient under this chapter for the purposes of
- 6 determining eligibility and the amount of benefits only if the county

1 obtains a written or electronic report *from the applicant income*
2 *and eligibility verification system, pursuant to Section 1320b-7 of*
3 *Title 42 of the United States Code*, showing the exact amount of
4 the unemployment compensation benefits and the date that the
5 applicant or recipient will receive the unemployment compensation
6 ~~benefits. If the applicant or recipient already has possession of a~~
7 ~~written or electronic report showing the exact amount of the~~
8 ~~unemployment compensation benefits and the date that the~~
9 ~~applicant or recipient will receive the unemployment compensation~~
10 ~~benefits, the applicant or recipient shall provide this report to the~~
11 ~~county. If the county takes action based upon documentation~~
12 ~~obtained from another source, the county shall provide the applicant~~
13 ~~or recipient with a copy of that documentation.~~ *benefits. If the*
14 *county takes action based upon this documentation, the county*
15 *shall provide the applicant or recipient with a copy of the applicant*
16 *income and eligibility verification system report.*

17 (2) *Notwithstanding paragraph (1), nothing in this section shall*
18 *preclude a county from obtaining official Employment Development*
19 *Department documentation from the applicant or recipient, if the*
20 *applicant or recipient already has possession of that verification*
21 *showing the exact amount and date of receipt of unemployment*
22 *compensation benefit income.*

23 (b) ~~(4)~~ *Notwithstanding the rulemaking provisions of the*
24 *Administrative Procedure Act (Chapter 3.5 (commencing with*
25 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
26 *Code), commencing January 1, 2011, the State Department of*
27 *Social Services shall initially implement this section through*
28 *all-county letters issued by the department. Thereafter, by January*
29 *1, 2012, the department shall adopt regulations to implement this*
30 *section, in accordance with the rulemaking provisions of the act.*

31 ~~(2)~~ *By May 1, 2011, the department shall develop regulations*
32 *and set a public hearing in accordance with the rulemaking*
33 *provisions of the Administrative Procedure Act.*

34 ~~(3)~~ *The all-county letters and regulations shall be developed in*
35 *consultation with appropriate advocates and county representatives.*

36 ~~SEC. 2.~~ *If the Commission on State Mandates determines that*
37 *this act contains costs mandated by the state, reimbursement to*
38 *local agencies and school districts for those costs shall be made*

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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